

106TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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IN THE SENATE OF THE UNITED STATES

Mr. MCCAIN (for himself and Mr. FEINGOLD) introduced the following bill;  
which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Federal Election Campaign Act of 1971 to  
provide bipartisan campaign reform.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Bipartisan Campaign  
5 Reform Act of 1999".

6 **SEC. 2. SOFT MONEY OF POLITICAL PARTIES.**

7 Title III of the Federal Election Campaign Act of  
8 1971 (2 U.S.C. 431 et seq.) is amended by adding at the  
9 end the following:

10 **"SEC. 323. SOFT MONEY OF POLITICAL PARTIES.**

11 **"(a) NATIONAL COMMITTEES.—**

1           “(1) IN GENERAL.—A national committee of a  
2 political party (including a national congressional  
3 campaign committee of a political party) and any of-  
4 ficers or agents of such party committees, shall not  
5 solicit, receive, or direct to another person a con-  
6 tribution, donation, or transfer of funds, or spend  
7 any funds, that are not subject to the limitations,  
8 prohibitions, and reporting requirements of this Act.

9           “(2) APPLICABILITY.—This subsection shall  
10 apply to an entity that is directly or indirectly estab-  
11 lished, financed, maintained, or controlled by a na-  
12 tional committee of a political party (including a na-  
13 tional congressional campaign committee of a politi-  
14 cal party), or an entity acting on behalf of a national  
15 committee, and an officer or agent acting on behalf  
16 of any such committee or entity.

17           “(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—

18           “(1) IN GENERAL.—An amount that is ex-  
19 pended or disbursed by a State, district, or local  
20 committee of a political party (including an entity  
21 that is directly or indirectly established, financed,  
22 maintained, or controlled by a State, district, or  
23 local committee of a political party and an officer or  
24 agent acting on behalf of such committee or entity)  
25 for Federal election activity shall be made from

1 funds subject to the limitations, prohibitions, and re-  
2 porting requirements of this Act.

3 “(2) FEDERAL ELECTION ACTIVITY.—

4 “(A) IN GENERAL.—The term ‘Federal  
5 election activity’ means—

6 “(i) voter registration activity during  
7 the period that begins on the date that is  
8 120 days before the date a regularly sched-  
9 uled Federal election is held and ends on  
10 the date of the election;

11 “(ii) voter identification, get-out-the-  
12 vote activity, or generic campaign activity  
13 conducted in connection with an election in  
14 which a candidate for Federal office ap-  
15 pears on the ballot (regardless of whether  
16 a candidate for State or local office also  
17 appears on the ballot); and

18 “(iii) a communication that refers to a  
19 clearly identified candidate for Federal of-  
20 fice (regardless of whether a candidate for  
21 State or local office is also mentioned or  
22 identified) and is made for the purpose of  
23 influencing a Federal election (regardless  
24 of whether the communication is express  
25 advocacy).

“(B) EXCLUDED ACTIVITY.—The term ‘Federal election activity’ does not include an amount expended or disbursed by a State, district, or local committee of a political party for—

“(i) campaign activity conducted solely on behalf of a clearly identified candidate for State or local office, provided the campaign activity is not a Federal election activity described in subparagraph (A);

“(ii) a contribution to a candidate for State or local office, provided the contribution is not designated or used to pay for a Federal election activity described in subparagraph (A);

“(iii) the costs of a State, district, or local political convention;

“(iv) the costs of grassroots campaign materials, including buttons, bumper stickers, and yard signs, that name or depict only a candidate for State or local office;

“(v) the non-Federal share of a State, district, or local party committee’s administrative and overhead expenses (but not

1 including the compensation in any month  
2 of an individual who spends more than 20  
3 percent of the individual's time on Federal  
4 election activity) as determined by a regu-  
5 lation promulgated by the Commission to  
6 determine the non-Federal share of a  
7 State, district, or local party committee's  
8 administrative and overhead expenses; and

9 “(vi) the cost of constructing or pur-  
10 chasing an office facility or equipment for  
11 a State, district or local committee.

12 “(C) GENERIC CAMPAIGN ACTIVITY.—The  
13 term ‘generic campaign activity’ means an ac-  
14 tivity that promotes a political party and does  
15 not promote a candidate or non-Federal can-  
16 didate.

17 “(c) FUNDRAISING COSTS.—An amount spent by a  
18 national, State, district, or local committee of a political  
19 party, by an entity that is established, financed, main-  
20 tained, or controlled by a national, State, district, or local  
21 committee of a political party, or by an agent or officer  
22 of any such committee or entity, to raise funds that are  
23 used, in whole or in part, to pay the costs of a Federal  
24 election activity shall be made from funds subject to the

1 limitations, prohibitions, and reporting requirements of  
2 this Act.

3       “(d) TAX-EXEMPT ORGANIZATIONS.—A national,  
4 State, district, or local committee of a political party (in-  
5 cluding a national congressional campaign committee of  
6 a political party), an entity that is directly or indirectly  
7 established, financed, maintained, or controlled by any  
8 such national, State, district, or local committee or its  
9 agent, and an officer or agent acting on behalf of any such  
10 party committee or entity, shall not solicit any funds for,  
11 or make or direct any donations to, an organization that  
12 is described in section 501(c) of the Internal Revenue  
13 Code of 1986 and exempt from taxation under section  
14 501(a) of such Code (or has submitted an application for  
15 determination of tax exempt status under such section).

16       “(e) CANDIDATES.—

17               “(1) IN GENERAL.—A candidate, individual  
18 holding Federal office, agent of a candidate or indi-  
19 vidual holding Federal office, or an entity directly or  
20 indirectly established, financed, maintained or con-  
21 trolled by or acting on behalf of one or more can-  
22 didates or individuals holding Federal office, shall  
23 not—

24                       “(A) solicit, receive, direct, transfer, or  
25 spend funds in connection with an election for

1 Federal office, including funds for any Federal  
2 election activity, unless the funds are subject to  
3 the limitations, prohibitions, and reporting re-  
4 quirements of this Act; or

5 “(B) solicit, receive, direct, transfer, or  
6 spend funds in connection with any election  
7 other than an election for Federal office or dis-  
8 burse funds in connection with such an election  
9 unless the funds—

10 “(i) are not in excess of the amounts  
11 permitted with respect to contributions to  
12 candidates and political committees under  
13 paragraphs (1) and (2) of section 315(a);  
14 and

15 “(ii) are not from sources prohibited  
16 by this Act from making contributions with  
17 respect to an election for Federal office.

18 “(2) STATE LAW.—Paragraph (1) does not  
19 apply to the solicitation, receipt, or spending of  
20 funds by an individual who is a candidate for a  
21 State or local office in connection with such election  
22 for State or local office if the solicitation, receipt,  
23 or spending of funds is permitted under State law  
24 for any activity other than a Federal election activ-  
25 ity.

1           “(3) FUNDRAISING EVENTS.—Notwithstanding  
2       paragraph (1), a candidate may attend, speak, or be  
3       a featured guest at a fundraising event for a State,  
4       district, or local committee of a political party.”.

5   **SEC. 3. INCREASED CONTRIBUTION LIMITS FOR STATE**  
6                   **COMMITTEES OF POLITICAL PARTIES AND**  
7                   **AGGREGATE CONTRIBUTION LIMIT FOR INDI-**  
8                   **VIDUALS.**

9       (a) CONTRIBUTION LIMIT FOR STATE COMMITTEES  
10   OF POLITICAL PARTIES.—Section 315(a)(1) of the Fed-  
11   eral Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1))  
12   is amended—

13           (1) in subparagraph (B), by striking “or” at  
14       the end;

15           (2) in subparagraph (C)—

16                   (A) by inserting “(other than a committee  
17                   described in subparagraph (D))” after “com-  
18                   mittee”; and

19                   (B) by striking the period at the end and  
20                   inserting “; or”; and

21           (3) by adding at the end the following:

22                   “(D) to a political committee established and  
23                   maintained by a State committee of a political party  
24                   in any calendar year which, in the aggregate, exceed  
25                   \$10,000.”.

1 (b) AGGREGATE CONTRIBUTION LIMIT FOR INDIVID-  
2 UAL.—Section 315(a)(3) of the Federal Election Cam-  
3 paign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by  
4 striking “\$25,000” and inserting “\$30,000”.

5 **SEC. 4. REPORTING REQUIREMENTS.**

6 (a) REPORTING REQUIREMENTS.—Section 304 of the  
7 Federal Election Campaign Act of 1971 (2 U.S.C. 434)  
8 is amended by adding at the end the following:

9 “(d) POLITICAL COMMITTEES.—

10 “(1) NATIONAL AND CONGRESSIONAL POLITI-  
11 CAL COMMITTEES.—The national committee of a po-  
12 litical party, any national congressional campaign  
13 committee of a political party, and any subordinate  
14 committee of either, shall report all receipts and dis-  
15 bursements during the reporting period.

16 “(2) OTHER POLITICAL COMMITTEES TO WHICH  
17 SECTION 323 APPLIES.—In addition to any other re-  
18 porting requirements applicable under this Act, a  
19 political committee (not described in paragraph (1))  
20 to which section 323(b)(1) applies shall report all re-  
21 cepts and disbursements made for activities de-  
22 scribed in subparagraphs (A) and (B)(v) of section  
23 323(b)(2).

24 “(3) ITEMIZATION.—If a political committee  
25 has receipts or disbursements to which this sub-

1 section applies from any person aggregating in ex-  
2 cess of \$200 for any calendar year, the political  
3 committee shall separately itemize its reporting for  
4 such person in the same manner as required in para-  
5 graphs (3)(A), (5), and (6) of subsection (b).

6 “(4) REPORTING PERIODS.—Reports required  
7 to be filed under this subsection shall be filed for the  
8 same time periods required for political committees  
9 under subsection (a).”.

10 (b) BUILDING FUND EXCEPTION TO THE DEFINI-  
11 TION OF CONTRIBUTION.—Section 301(8)(B) of the Fed-  
12 eral Election Campaign Act of 1971 (2 U.S.C. 431(8)(B))  
13 is amended—

14 (1) by striking clause (viii); and

15 (2) by redesignating clauses (ix) through (xiv)  
16 as clauses (viii) through (xiii), respectively.

17 **SEC. 5. CODIFICATION OF BECK DECISION.**

18 Section 8 of the National Labor Relations Act (29  
19 U.S.C. 158) is amended by adding at the end the follow-  
20 ing:

21 “(h) NONUNION MEMBER PAYMENTS TO LABOR OR-  
22 GANIZATION.—

23 “(1) IN GENERAL.—It shall be an unfair labor  
24 practice for any labor organization which receives a  
25 payment from an employee pursuant to an agree-

1       ment that requires employees who are not members  
2       of the organization to make payments to such orga-  
3       nization in lieu of organization dues or fees not to  
4       establish and implement the objection procedure de-  
5       scribed in paragraph (2).

6               “(2) OBJECTION PROCEDURE.—The objection  
7       procedure required under paragraph (1) shall meet  
8       the following requirements:

9               “(A) The labor organization shall annually  
10       provide to employees who are covered by such  
11       agreement but are not members of the organi-  
12       zation—

13               “(i) reasonable personal notice of the  
14       objection procedure, the employees eligible  
15       to invoke the procedure, and the time,  
16       place, and manner for filing an objection;  
17       and

18               “(ii) reasonable opportunity to file an  
19       objection to paying for organization ex-  
20       penditures supporting political activities  
21       unrelated to collective bargaining, includ-  
22       ing but not limited to the opportunity to  
23       file such objection by mail.

24               “(B) If an employee who is not a member  
25       of the labor organization files an objection

1 under the procedure in subparagraph (A), such  
2 organization shall—

3 “(i) reduce the payments in lieu of or-  
4 ganization dues or fees by such employee  
5 by an amount which reasonably reflects the  
6 ratio that the organization’s expenditures  
7 supporting political activities unrelated to  
8 collective bargaining bears to such organi-  
9 zation’s total expenditures; and

10 “(ii) provide such employee with a  
11 reasonable explanation of the organiza-  
12 tion’s calculation of such reduction, includ-  
13 ing calculating the amount of organization  
14 expenditures supporting political activities  
15 unrelated to collective bargaining.

16 “(3) DEFINITION.—In this subsection, the term  
17 ‘expenditures supporting political activities unrelated  
18 to collective bargaining’ means expenditures in con-  
19 nection with a Federal, State, or local election or in  
20 connection with efforts to influence legislation unre-  
21 lated to collective bargaining.”.